



# Legal Update

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September 18, 2014

## *An Act Protecting Animal Welfare and Safety*

**Chapter 293 of the Acts of 2014:** On August 20, 2014, Governor Patrick signed into law “*An Act protecting animal welfare and safety*” (the “PAWS Act”) which will become effective within ninety (90) days. The key provisions are listed below:

**REPORTING:** Pursuant to G.L. c. 272, §§ 77, veterinarians whom in the normal course of business observe an animal who the veterinarian knows or reasonably suspects is a victim of animal cruelty to report police or special state police suspected animal cruelty under or 94. Failure by a veterinarian to report such animal cruelty shall be reported to the board of registration in veterinary medicine. Veterinarians are exempt from civil or criminal liability if they in good faith report the incident. Any veterinarian failing to report animal cruelty under this new provision shall be reported to the board of registration.

**ENHANCED PENALTIES:** Penalties under G.L. c. 266, § 112 and c. 272, § 77 are increased to the following:

**Penalty for 1<sup>st</sup> offense:** 7 years in state prison or not more than 2 ½ years in HOC or fine by \$5000 or both.

**Penalty for second or subsequent:** not more than 10 years in state prison or a fine of not more than \$10,000, or both.

**For specific guidance on the application of these cases or any law, please consult with your supervisor or your department’s legal advisor or prosecutor.**

**JURISDICTION:** District Courts and Boston Municipal Court have concurrent jurisdiction over the offense of animal cruelty G.L. c. 272, § 77.

**TASK FORCE:** task force shall be created to review laws pertaining to animal cruelty and protection laws.

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